

Chapter 7 - “Liquidation”

A chapter 7 case is the liquidation or selling off of your non-exempt property for payment to the creditors from the proceeds.

Chapter 7 Filing Requirements

An original of the following is required when filing a chapter 7:

- Notice to Individual Consumer Debtor (s)*
- Voluntary Petition*
- Corporate Resolution* only if corporation
- Declaration of Divisional Venue*
- Fees - a payment due at time of filing*
- Schedules A through J
- List of Creditors - Mailing Matrix with Coversheet*
must be submitted on computer diskette
- Statement of Financial Affairs
- Statement of Intention (Individual)
- Disclosure Statement of Attorney/Bankruptcy Petition Preparer

*You must file the minimum requirements to initiate a bankruptcy case.

You will be issued a Notice of Possible Dismissal if all of the above are not received at the time of filing. The Notice states that you have three business days from the date the petition is filed to file your Mailing Matrix. You have 15 days to file your Schedules and Statement of Financial Affairs.

Chapter 11 - “Reorganization”

A chapter 11 case provides you the opportunity to reorganize or readjust debts through a plan or contract with creditors. Creditors are allowed to vote on the plan and the plan must be approved by the Court. Individuals and most businesses can file a petition under chapter 11.

Chapter 11 Filing Requirements

An original of the following is required when filing a chapter 11:

- Notice to Individual Consumer Debtor (s)*
- Voluntary Petition*
- Corporate Resolution* only if corporation
- Declaration of Divisional Venue*
- Fees - a payment due at time of filing*
- List of Creditors - Mailing Matrix with Coversheet*
must be submitted on computer diskette
- List of Creditors Holding 20 Largest Unsecured Claims*

- Schedules A through J
- Statement of Financial Affairs
- List of Equity Security Holders
- Disclosure Statement of Attorney/Bankruptcy Petition Preparer

*You must file the minimum requirements to initiate a bankruptcy case.

You will be issued a Notice of Possible Dismissal if all of the above are not received at the time of filing. The Notice states that you have three business days from the date the petition is filed to file your List of 20 Largest Creditors and Mailing Matrix. You have 15 days to file your Schedules and Statement of Financial Affairs.

Chapter 13 - “Wage Earner Plan”

A chapter 13 case provides you the opportunity to restructure your debts through a payment plan which normally lasts three years. With court approval, a plan may last up to five years. The Chapter 13 Trustee receives all funds you pay through the plan and pays creditors from these funds.

Chapter 13 Filing Requirements

An original of the following is required when filing a chapter 13:

- Notice to Individual Consumer Debtor (s)*
- Voluntary Petition*
- Declaration of Divisional Venue*
- Fees - a payment due at time of filing*
- List of Creditors-Mailing Matrix with Coversheet*
must be submitted on computer diskette
- Schedules A through J
- Statement of Financial Affairs
- Chapter 13 Plan (*use only the form approved by the Court for use in the Eastern District of Virginia; available from the Clerk's Office upon request and on the Court's website at www.vaeb.uscourts.gov/*)
- Disclosure Statement of Attorney/Bankruptcy Petition Preparer

*You must file the minimum requirements to initiate a bankruptcy case.

You will be issued a Notice of Possible Dismissal if all of the above are not received at the time of filing. The Notice states that you have three business days from the date the petition is filed to file your Mailing Matrix. You have 15 days to file your Schedules, Statement of Financial Affairs and Chapter 13 Plan.

Your Chapter 13 Plan payments must be mailed to the Chapter 13 Trustee's Office in the division where the case was filed.

Meeting of Creditors (All Chapters)

The location, date and time of the meeting of creditors (341 Meeting) will be given to you after your bankruptcy petition is filed.

Your creditors will be notified by the U.S. Bankruptcy Court Clerk's Office of the location, date and time scheduled for your 341 Meeting by mail or by a specified type of electronic transmission.

You will be notified by mail. Please read your notice carefully to determine the location, date and time of your 341 Meeting. **341 Meetings are not held in the courthouse.**

Acceptable Forms of Payment

The U.S. Bankruptcy Court accepts cash, money orders, cashier's and traveler's checks. Personal checks from the debtor, two-party checks, and post-dated checks will not be accepted.

Filing Fees

You may pay the filing fee in installments. The number of installments shall not exceed three. An initial installment payment of \$75.00 is required when filing chapter 7 cases, \$70.00 for chapter 13 cases, and \$430.00 for chapter 11 cases. ***An Application and Order to Pay Filing Fee in Installments*** must be filed with the Petition, and approved by the Court. This form is available in the Clerk's Office and from the Court's website at www.vaeb.uscourts.gov

The filing fees are as follows:

Chapter 7	\$ 209.00
Chapter 11	\$ 839.00
Chapter 13	\$ 194.00

Failure to comply with the filing requirements or missing deadlines may result in your case being dismissed and loss of bankruptcy protection.

Official Forms & Petition Preparation

The U. S. Bankruptcy Court Clerk's Office does not supply the official forms required for filing bankruptcy. You may purchase the forms from a local office supply store or download applicable forms from the court's website at: www.vaeb.uscourts.gov/ If someone other than an attorney assists you with the preparation of the bankruptcy forms, you must disclose the name of the preparer on the petition.

You may be required to present a photo identification when entering the courthouse and must provide a daytime phone number on your petition. A photo identification is required at the First Meeting of Creditors, along with verification of your social security number.

Legal Advice & Resources

The U. S. Bankruptcy Court Clerk's Office is not permitted to assist you with preparing your petition, schedules, or other documents. Nor is the Clerk's Office permitted to provide you with legal advice. Your local library has law books that may be of assistance to you. The Local Bankruptcy Rules for the Eastern District of Virginia and information on the various chapters in bankruptcy are available in the Clerk's Office. The local rules, instructions and forms are also available on the Court's website at: www.vaeb.uscourts.gov/

Appropriate Courtroom Attire & Conduct

All persons present in a courtroom where a trial, hearing, or other proceeding is in progress must dress and conduct themselves in a manner demonstrating respect for the court. Traditional business attire is considered appropriate. Jeans, shorts, and t-shirts are **not** appropriate.

Credit Rating & Reports

The U. S. Bankruptcy Court Clerk's Office is not responsible for credit reports. Bankruptcy records are public records and the information contained in them can be retrieved by anyone. Any disputes you have with a credit agency must be resolved by you and that agency.

Retaining Your Records

It is advisable to keep copies of your petition, schedules, Order of Discharge and, if applicable, your Order of Dismissal. You may wish to obtain copies of other pertinent documents.

PLEASE NOTE: Corporations and Partnerships must be represented by an attorney when filing for bankruptcy.

Office Hours and Locations

All divisional offices are open Monday-Friday and closed on federal holidays.

Richmond Division

8:30 a.m. – 5:00 p.m.
(804) 916-2400

Street Address:
1100 E. Main St.
Room 301
Richmond, VA 23219

Mailing Address:
1100 E. Main St.
Room 310
Richmond, VA
23219-3515

Alexandria Division

8:30 a.m. - 5:00 p.m.
(703) 258-1200

Street Address:
200 S. Washington St.
Alexandria, VA 22314

Mailing Address:
P.O. Box 19247
Alexandria, VA
22320-0247

Norfolk Division

8:30 a.m. - 5:00 p.m.
(757) 222-7500

Street Address:
600 Granby St.
4th Floor
Norfolk, VA 23510

Mailing Address:
P.O. Box 1938
Norfolk, VA
23501-1938

Newport News Division

8:30 a.m. - 4:45 p.m.
(757) 244-3678

Street Address:
101 25th St.
Room 106
Newport News, VA
23607

Mailing Address:
P.O. Box 1938
Norfolk, VA
23501-1938

**No financial transactions receipted after 4:00 p.m.,
and no cash accepted after 4:00 p.m. for filings
that require a filing fee.**

The United States Bankruptcy Court for the Eastern District of Virginia



GUIDELINES & REQUIREMENTS TO ASSIST *PRO SE* DEBTORS

William C. Redden
Clerk of Court

The information contained in this brochure is intended to answer common questions from Pro Se debtors and is not to be interpreted as legal advice. This information is subject to change without notice.